

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

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IN RE: YASMIN AND YAZ	)	
(DROSPIRENONE) MARKETING, SALES	)	3:09-md-02100-DRH-PMF
PRACTICES AND PRODUCTS LIABILITY	)	
LITIGATION	)	MDL No. 2100

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**This Document Relates to:**

*Tommye White v.*  
*Bayer HealthCare Pharmaceuticals, Inc., et al.* No. 3:12-cv-10059-DRH-PMF

**ORDER OF DISMISSAL WITH PREJUDICE**

This matter is before the Court on Defendant Bayer HealthCare Pharmaceuticals Inc.'s motion, pursuant to Case Management Order 12 ("CMO 12"), for an Order dismissing the above-captioned matter **with prejudice** for failure to comply with Plaintiff Fact Sheet ("PFS") obligations.

On September 25, 2012, Bayer HealthCare Pharmaceuticals Inc. moved to dismiss the above captioned matter without prejudice for failure to comply with PFS obligations.<sup>1</sup> The Court granted the motion on November 7, 2012.<sup>2</sup>

More than 60 days since the entry of the order of dismissal without prejudice has passed, and Plaintiff still has not complied with her PFS obligations. Accordingly, pursuant to Section E of CMO 12, Bayer has filed a

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<sup>1</sup> Doc. 11.

<sup>2</sup> Doc. 12.

motion asking the Court to issue an order converting the dismissal without prejudice to a dismissal with prejudice.<sup>3</sup> The plaintiff has not responded.

Having considered the motion and the relevant provisions of CMO 12 the Court **FINDS and ORDERS** as follows:

The plaintiff in the above captioned action has failed to comply with her obligations pursuant to CMO 12 and more than 60 days have passed since the entry of the order of dismissal without prejudice for failure to comply with CMO 12. Accordingly, pursuant to Section E of CMO 12, **the plaintiff's complaint is hereby dismissed WITH prejudice**. Further, the Court **DIRECTS** the Clerk of the Court to enter judgment reflecting the same.

**SO ORDERED:**

 Digitally signed by  
David R. Herndon  
Date: 2013.05.20  
11:19:15 -05'00'

**Chief Judge  
United States District Court**

**Date: May 20, 2013**

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<sup>3</sup> Doc. 13.